<u>REMARKS</u>

Applicant has amended the drawings and specification (with reference to the paragraph numbers in the corresponding published application) as requested by the examiner.

<u>PRIOR ART REJECTIONS</u>

In response to the examiner's rejection of claims 1-7, 9-30 and 32-46 under 35 USC 102(e) as being anticipated by US Patent No. 7,117,495 to Blaser et al. ("Blaser") and claims 8 and 31 as being unpatentable over Blaser in view of "The Design and Implementation of Zap: A System for Migrating Computing Environments" article ("Osman") and further in view of US Patent Application Publication No. 2002/0072830 to G. Hunt ("Hunt"), Applicant respectfully traverses these rejections.

<u>Claims 1-7, 9-30 and 32-46</u>

The examiner has rejected these claims as being anticipated by Blaser. However, the anticipation rejection based on Blaser is improper for the reasons set forth below and must be withdrawn.

<u>Anticipation Standard</u>

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). *See MPEP 2131*.

<u>Blaser</u>

Blaser does not describe each of the claim elements of independent claims 1 and 24 and therefore the anticipation rejection is improper. In particular, Blaser does not describe "a privatized virtual file resource created from an operating system file system wherein the application software only accesses the privatized virtual file resource" nor "a privatized virtual registry created from an operating system registry system wherein the application software only accesses the privatized virtual registry" as set forth in claims 1 and 24. Blaser discloses a system that has "layers" in which, as shown in Figure 2, the applications 200 may access the Layer A 204, Layer B 202 or the Base file system 206 based on a priority scheme described in Blaser. *See Blaser at Col 4, lines 28-50.* Thus, an application 200 accesses both its layer file system (Layer A), the file system of another application layer (Layer B) or the base file system. Similarly, the Blaser system allows the application to access any registry. Therefore, Blaser does not describe each element of the independent claims and the anticipation rejection must be withdrawn.

With respect to claims 2-10 and 25-33, these claims are additionally allowable over Blaser because Blaser does not describe each feature of each of these claims.

Claims 8 and 31

In view of the lack of disclosure of certain elements of the independent claims as described above in Blaser, the obviousness rejection cannot be maintained since Osman and Hunt do not cure the defects in Blaser and therefore the rejection of this rejection is improper and must be withdrawn.

CONCLUSION

In view of the above, it is respectfully submitted that Claims 1-46 are allowable over the prior art cited by the Examiner and early allowance of these claims and the application is respectfully requested.

The Examiner is invited to call Applicant's attorney at the number below in order to speed the prosecution of this application.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896 referencing Attorney Docket No. 351306-991110.

Respectfully submitted,

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Dated: _ September 21, 2007 _   By _____ /Timothy W. Lohse/ _____
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